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8 IN THE UNITED STATES DISTRICT COURT FOR THE
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,) 2:04-cr-0019-MCE
12 Plaintiff,) STIPULATION AND ORDER RESETTING
13) CHANGE OF PLEA DATE AND EXCLUDING
14 v.) TIME UNDER THE SPEEDY TRIAL ACT
15 RODNEY BUTLER,)
16 Defendant.)

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18 On August 8, 2006, the parties stipulated and agreed that the
19 trial of the captioned matter should be vacated and the matter
20 should be set for status conference/change of plea on October 3,
21 2006. The parties have executed a written plea agreement. Due to a
22 conflict in another scheduled matter, defense counsel is unavailable
23 on October 3, 2006 for change of plea.

24 The parties request and stipulate that the date for change of
25 plea be reset to October 24, 2006. Counsel for the defendant
26 requests that the matter be set for 11:00 a.m. to accommodate his
27 travel schedule from the Los Angeles area.

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The parties further stipulate and request that time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(8)(B)(iv), for continuity of counsel (Local Code T4) from October 3, 2006 to October 24, 2006.

McGREGOR W. SCOTT
United States Attorney

DATED: September 25, 2006

By /s/ Mary L. Grad
MARY L. GRAD
Assistant U.S. Attorney

/S/ David M. Dudley
DAVID M. DUDLEY
Counsel for Rodney Butler

IT IS SO ORDERED.

DATED: September 27, 2006

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE